

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

EMILY ANNE MUMME,

Plaintiff,

v.

COMMISSIONER OF SOCIAL
SECURITY ADMINISTRATION,

Defendant.

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CIVIL ACTION NO. 4:20-CV-00100-RWS-KPJ

ORDER

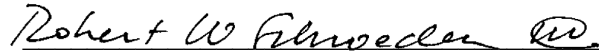
The above-titled and numbered action was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636. On September 8, 2021, the Magistrate Judge entered proposed findings of fact and recommendation (the “Report”) (Docket No. 20) that that the final decision of the Commissioner of Social Security Administration be reversed and remanded for further proceedings.

Because no objections to the Magistrate Judge’s Report have been filed, neither party is entitled to *de novo* review by the District Judge of those findings, conclusions, and recommendations, and except on grounds of plain error, they are barred from appellate review of the unobjected-to factual findings and legal conclusions accepted and adopted by the District Court. *Douglass v. United Servs. Auto. Assoc.*, 79 F.3d 1415, 1430 (5th Cir. 1996) (en banc), *superseded by statute on other grounds*, 28 U.S.C. § 636(b)(1) (extending time to file objections from ten to fourteen days). Nonetheless, the Court has reviewed the briefing (Docket Nos. 17, 18, 19) and the Magistrate Judge’s Report (Docket No. 20) and agrees with the Report. *See United States v. Raddatz*, 447 U.S. 667, 683 (1980) (“[T]he statute permits the district court to give the

magistrate's proposed findings of fact and recommendations 'such weight as [their] merit commands and the sound discretion of the judge warrants.' ") (quoting *Mathews v. Weber*, 423 U.S. 261, 275 (1976)). Accordingly, it is hereby

ORDERED that the Magistrate Judge's Report (Docket No. 20) is **ADOPTED** as the opinion of this Court, and the decision of the Commissioner is **REVERSED** and **REMANDED** for further proceedings.

So ORDERED and SIGNED this 27th day of September, 2021.


ROBERT W. SCHROEDER III
UNITED STATES DISTRICT JUDGE